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NOTES OF CASES.

Theatergoer Falls Down Stairway.—Defendant maintained a five-cent moving picture theater, on the second floor of a building on Monroe avenue, in the city of Detroit. The theater was reached by entering the ground floor of the building on Monroe avenue, and then passing to the rear, where the stairway was situated. One Wednesday at about 4 o'clock p. m., plaintiff bought a ticket to the show and went up the stairway, reaching her seat without incident. The performance was a continuous one, the patrons coming and going at will. Plaintiff remained until she had seen all of the acts and then started to leave. The upstairs of the theater was very dark. She could not see the steps, and had to feel her way down. Without being aware of its existence she stepped down a single curved step, lost her balance, and fell forward and down a flight of eight steps. For the severe injuries sustained she brought action on the case to recover damages. The lower court directed a verdict in favor of defendant on the ground that plaintiff was guilty of contributory negligence as matter of law. The Supreme Court of Michigan in *Branch v. Klatt*, 131 Northwestern Reporter, 107, in reversing the lower court judgment, holds that under the evidence the question of the contributory negligence of plaintiff was one for the jury; that the duty of a patron of a theater to exercise care for his own safety while descending stairways of a theater is lighter than that of one passing along public streets, the presumption being that the theater owner has placed his premises in a reasonably safe condition as to lights and construction. Where the premises are maintained in a darkened condition, the court holds that one has thereby an added assurance that they are reasonably safe.

Business College Is Not a General Educational Institution.—A Michigan statute provides that real estate occupied for educational purposes shall be exempt from taxation. To escape taxation one Parsons incorporated his business college, and then filed a bill against the city of Kalamazoo and its assessor to have his property declared exempt. The Supreme Court of Michigan in *Parsons Business College v. City of Kalamazoo*, 131 Northwestern Reporter, 553, holds that the real property is not exempt from taxation, and that the business college is not a general educational institution, within the meaning of the statute, but organized and conducted solely for the profit of the founders and stockholders. The court states that it is a matter of common knowledge that students of a business college studying the usual length of time obtain but a mere smattering of knowledge, but acknowledges that business colleges are useful and very beneficial to a large class.